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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,881	08/25/2003	BILL YANG	11709-US-PA	1880

31561 7590 05/04/2005

JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE  
7 FLOOR-1, NO. 100  
ROOSEVELT ROAD, SECTION 2  
TAIPEI, 100  
TAIWAN

EXAMINER
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STEIN, JULIE E

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/604,881

Applicant(s)

YANG, BILL

Examiner

Julie E. Stein, Esq.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan on August 7, 2003. It is noted, however, that applicant has not filed a certified copy of the 92214321 application as required by 35 U.S.C. 119(b).

### ***Drawings***

2. Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

3. The disclosure is objected to because of the following informalities: In paragraph 7, the first sentence recites "the interior layout of a conventional when viewed," the Examiner believes that the missing word is car.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, and 3-9 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication 2005/0024873 to Cope.

Cope disclose all the elements of independent claim 1, including a cellular phone car charger with illuminating function (Figures 1-2D), comprising a power connection plug (120), for connecting with a power socket that provides a charging source (210), a conductive cable (Figure 1), a charge connector for receiving charging power via the conductive cable (110) and converting the power to a suitable form for charging the cellular phone (Id.), and an illuminating device set on the charge connector for illuminating surrounding areas using power from the charging source (114).

Cope also discloses all the elements of dependent claim 3, including wherein the charger further comprises a switch set on the charge connector for controlling on or off state of the illuminating device. See element 116 of Figures 2A-D.

Cope also discloses all the elements of dependent claims 4 and 5, including wherein the power socket in the car provides a 12V power source or the conductive cable permits the power connection plug produces a power source having a correct

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charging voltage via a voltage transformer. The concept of matching the correct voltage output is inherent in view of Cope's disclosure that there are a wide variety of mobile device plugs and power plugs that could and would be used. See paragraph 8.

Cope also discloses all the elements of dependent claims 6 and 7, including wherein the conductive cable permits the charge connector to move and illuminate most dead corner areas within the car, wherein the dead corner areas within the car are the areas within the car where insufficient illumination is provided by at least one fixed overhead lamp. See Figure 1 and paragraph 9, which discloses that the beam of light may be used to provide illumination for performing other tasks.

The rejection of claim 1 is hereby incorporated. Cope disclose all the elements of independent claim 8, including a cellular phone illuminating apparatus with an illuminating function (Figures 1-2D), comprising, a connector for plugging into a cellular phone (110) and connecting to a battery source (120), and an illuminating device set on the connector (114) for illuminating surrounding areas using the battery power.

Cope also discloses all the elements of dependent claim 9, including wherein the apparatus further comprises a switch (116) for controlling on or off state of the illuminating device.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cope in view of U.S. Patent No. 6,819,942 to Aotake et al.

Cope discloses all the elements of dependent claim 2, except wherein the illuminating device uses the power of a battery within the cellular phone to illuminate surrounding areas when the power connection plug is in an idle state and the charge connector is engaged to the cellular phone. However, Aotake teaches a mobile terminal in which a flash unit is coupled to it and uses the mobile terminals power source as a charging source. See column 1, lines 49 to 51. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify the device of Cope to include the functionality of Aotake, e.g. to be able to use the mobile phone's battery as a power source for the illuminating device when the power cord was not engaged, because as taught by Aotake, this allows an additional light source (for example for use with a camera) that is entirely mobile. Id.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie E. Stein, Esq. whose telephone number is (571) 272-7897. The examiner can normally be reached on M-F (8:30 am-5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JES

*Nguyen Vo*  
4-29-2005

**NGUYEN T. VO**  
**PRIMARY EXAMINER**